IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2032 OF 2007

Shri Lal Ahmd Mahboobsab Manegodu. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

U.R.Agandsurve for the applicant.

Ms.M.M.Deshmukh, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 13th July 2007.

P.C.:

. Heard learned counsel for the applicants and learned A.P.P. for the State.

2. By this application under section 439 of the Code of Criminal Procedure, 1873, the applicant is seeking anticipatory bail apprehending his arrest in connection with C.R.No.88/2007 registered with the Solapur Taluka Police Station, Solapur for the offences punishable under section 323, 324, 397, 427 of Indian Penal Code read with section 3 of the Essential Commodities Act.

3. The factual matrix reveals that the F.I.R. was lodged on the basis of complaint made by one Mr.Vinayak Digambar Vhatkar. In the complaint it is

alleged that the complainant received intimation about the transportation of the kerosene for selling in black market. The group of persons, whose names have not been disclosed in the F.I.R., assaulted him when video shooting of illegally transported kerosene was being done. Other reporters along with him were injured. Their cameras were damaged.

4. The application made before the Sessions Court for bail came to be was rejected by the Sessions Court vide order dated 17th May, 2007.

5. Accused No.1- Nilappa Jadhav, when he was in custody, his statement was recorded; wherein he has stated that he was drawn in the illegal business of selling kerosene in black-market and thereafter, he, regularly started purchasing and selling kerosene in the black-market.

6. There is sufficient material on record to implicate the present applicant. Considering the statement of Nilappa Jadhav, it has become all the more necessary to find out who were and are his customers, who consume kerosene sold in the black market. The custodial interrogation of the present applicant is, thus, necessary to investigate from where the kerosene used to be supplied and to whom the same used to be sold. The Indian Economy is crippled

because of such transactions, which need to be taken serious note of. Such types of transactions are required to be arrested.

7. In the above view of the matter, considering the material available on record against the applicant, I am not inclined to grant bail in favour of applicant.

8. Application is, thus, rejected.

JUDGE